



REMARKS.

This is a full and timely response to the outstanding nonfinal Office Action mailed April 6, 2001.

1. Present Status of Patent Application

Claims 1-20 remain pending in the present application. The Office Action indicates that claims 1-20 are subject to a restriction and/or election requirement pursuant to 35 U.S.C. §121.

The Office Action notes that claims 1-10 and 17-20 (Group I) are drawn to a semiconductor device, classified in class 257, subclass 758, while claims 11-16 (Group II) are drawn to a method for making a semiconductor device, classified in class 438, subclass 682. The Office Action notes that the inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product, or (2) that the product as claimed can be made by another and materially different process (MPEP §806.5(f)). The Office Action, however, does not identify any other processes by which the product of Group I could be fabricated. Additionally, there is no specific identification of other and different products that can be made by the process of Group II. Applicant respectfully requests that such other processes and products be identified.

Please note that Applicants hereby provisionally elect with traverse Group I. The restriction requirement is submitted to be improper. More particularly, Applicants assert that the process as claimed by Group II, in view of Group I, is an obvious process of making the product claimed in Group I. Further, the process, as claimed, cannot be used to make other and different products. As for the product as claimed by Group I, Applicants would also submit that it cannot be made by another and materially different process.

Notice of draftsman's patent drawing review is acknowledged. FIG. 2 has now been revised to ensure the drawing falls within accepted margins. The corrected FIG. 2, as well as a red-line version showing the changes made, is submitted herewith for approval.

In view of the foregoing, Applicants respectfully request that the requirement be withdrawn upon reconsideration.



CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that the now pending claims 1-20 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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